

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

James Pickett,

Court File No.:

Plaintiff,

COMPLAINT

vs.

**JURY TRIAL DEMANDED
UNDER FRCP 38(b)**

Metropolitan Council,

Defendant.

INTRODUCTION

1. Plaintiff James Pickett (“Pickett”) brings this action to recover damages for injuries he sustained on December 24, 2020 when he slipped and fell at the Nicollet Mall station due to the negligence of Defendant Metropolitan Council (“the Defendant”) in constructing and maintaining the premises.

JURISDICTION

2. This court has jurisdiction over the subject matter of this civil action pursuant to 28 U.S.C. Sec. 1332.

VENUE

3. Venue is proper in this court pursuant to 28 U.S.C. Sec. 1391(b) because the events and omissions giving rise to the claim occurred in the District of Minnesota.

PARTIES

4. At all times relevant herein, Pickett was a legal resident of the State of Illinois.

5. At all times relevant herein, the Defendant operated a light-rail system using the Trademark – Service Mark of Metro Transit.

FACTS

6. On or about December 24, 2020 Pickett left work, intending to take the light-rail at the Nicollet station.

7. At said time and place, Pickett slipped and fell on the sidewalk within the station, causing a serious fracture to his right ankle.

8. The Defendant had failed in a timely manner to remove snow and ice from the sidewalk upon which Pickett slipped and fell, thus creating a dangerous condition for him as well as other patrons of Metro Transit.

9. In addition, the sidewalk was improperly designed and constructed in that the sidewalk, even without snow and ice, was slippery to the average pedestrian.

10. As a direct result of Defendant's negligence as described above, Pickett incurred a loss of wages, suffered and will continue to suffer bodily and mental harm, incurred and will continue to incur hospital and medical expenses, and will in the future suffer a diminution of earning capacity.

WHEREFORE, Pickett asks for judgment against Defendant in excess of the amount of \$75,000 together with preverdict interest and his costs and disbursements incurred herein.

FRENCH LAW OFFICE

DATE: 23 December 2022

/s/ William L. French
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